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PATENT  
2577-0106P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Yasuhiro YOSHIOKA                      CONF. NO.: 3458  
SERIAL NO: 09/899,261                              GROUP: 1752  
FILED: July 6, 2001                              EXAMINER: Thorl Chea  
FOR: PHOTOTHERMOGRAPHIC MATERIAL

**DECLARATION UNDER 37 C.F.R. § 1.132**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Yasuhiro YOSHIOKA, declare the following.

I graduated from the University of Tokyo, Faculty of Science with a Master's Degree in Course of Chemistry in March of 1980.

I have been employed by Fuji Photo Film Co. Ltd. (Fuji), since April of 1980.

I have been engaged in research regarding new couplers at Ashigara Research Laboratories at Fuji from 1980 to 1998.

I have been engaged in research regarding photothermographic materials at Ashigara Research Laboratories at Fuji since 1999.

I am the inventor of the disclosure of the above-captioned application. I am fully knowledgeable of the disclosure of the application and field of art of the present invention.

The following experiments were conducted by me or under my direct supervision.

**Experiment**

A comparison was made between the instantly claimed invention containing phthalazine and phthalic acid and the succinimide and phthalimide as disclosed in the working Example 1 in Moon '796 (US Patent No. 5,989,796 - see column 19, lines 5 et seq.).

The succinimide and phthalimide as disclosed in the working Example 1 in Moon '796 did not show any effect on the white spots because of low image density due to low toner activity.

The phthalazine and phthalic acid as recited in the instant invention was unexpectedly superior to the succinimide and phthalimide as disclosed in the working Example 1 in Moon '796 as can be seen by the reduction in white spots.

Application No.: 09/205,297

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

This 28 day of July, 2003

By: Yasuhiro Yoshioka